

REMARKS

In the Office Action dated August 12, 2003, claim 22 was objected to under 37 C.F.R. §1.75 (c) as being of improper dependent form. In response, claim 22 has been cancelled.

Claims 3, 4, 6, 8, 10-15, 17 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tanaka in view of Kroener and Burke et al. and Deucher et al. Applicants note with appreciation the interview courteously afforded the undersigned counsel for the Applicants on September 11, 2003, wherein the above rejection was discussed. The discussion which took place at the interview is summarized below.

In Applicants' previous response, each of the independent claims was amended to include the subject matter therein of a plurality of inter-engaging annular guide devices for guiding an air stream, generated by rotation of the first heat exchanger and heated at the first heat exchange, from the first heat exchange to the second heat exchanger. This subject matter had previously been indicated to be allowable by the Examiner, which was the reason why it was incorporated in each of the independent claims. In the Office Action dated April 9, 2003, however, the previously indicated allowability was withdrawn and the Examiner stated he believed this teaching was provided by the Burke et al reference.

At the interview, therefore, the primary focus was directed to the teachings of the Burke reference, particularly the arrangement shown in Figure 5 thereof. As discussed at the interview, although this structure does include inter-digital elements, these are referred to in the Burke et al reference as "vanes," and are clearly provided only for the purpose of heat dissipation between the stationary portion of the

apparatus disclosed in Burke et al, and the rotating portion. These elements therefore do not serve as guide elements between a first heat exchanger and a second heat exchanger, and since the Burke et al reference discloses only one heat exchanger (the Examiner having relied on other references for disclosing first and second heat exchangers), it would not be possible for these vanes in the Burke et al reference to serve as guide elements between two heat exchangers in the Burke apparatus.

The Burke et al reference, therefore, is only an example of a structure in the field of computed tomography having inter-digital elements, of which Applicants acknowledge there are many. A general teaching of a structure having such inter-related elements, however, does not motivate, induce or suggest to a person of ordinary skill in the art the use of such inter-digital elements serving as guide elements for guiding an air stream, generated by rotation of a first heat exchanger, and heated at the first heat exchanger, from the first heat exchanger to a second heat exchanger, as set forth in each of the independent claims of the present application.

At the interview, the Examiner agreed that such a teaching was not present in the Burke et al reference, and although the Examiner could not make a commitment to allowance at the interview, the Examiner stated he would recommend allowance of the claims in their present form to his Supervisor.

All claims of the application are therefore submitted to be in condition for allowance. The present Amendment merely cancels a claim, and therefore does not raise any new issues requiring further searching or consideration. Entry of the

apparatus disclosed in Burke et al, and the rotating portion. These elements therefore do not serve as guide elements between a first heat exchanger and a second heat exchanger, and since the Burke et al reference discloses only one heat exchanger (the Examiner having relied on other references for disclosing first and second heat exchangers), it would not be possible for these vanes in the Burke et al reference to serve as guide elements between two heat exchangers in the Burke apparatus.

The Burke et al reference, therefore, is only an example of a structure in the field of computed tomography having inter-digital elements, of which Applicants acknowledge there are many. A general teaching of a structure having such inter-related elements, however, does not motivate, induce or suggest to a person of ordinary skill in the art the use of such inter-digital elements serving as guide elements for guiding an air stream, generated by rotation of a first heat exchanger, and heated at the first heat exchanger, from the first heat exchanger to a second heat exchanger, as set forth in each of the independent claims of the present application.

At the interview, the Examiner agreed that such a teaching was not present in the Burke et al reference, and although the Examiner could not make a commitment to allowance at the interview, the Examiner stated he would recommend allowance of the claims in their present form to his Supervisor.

All claims of the application are therefore submitted to be in condition for allowance. The present Amendment merely cancels a claim, and therefore does not raise any new issues requiring further searching or consideration. Entry of the

present Amendment after the final rejection is therefore proper, and the same is respectfully requested.

Submitted by,

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